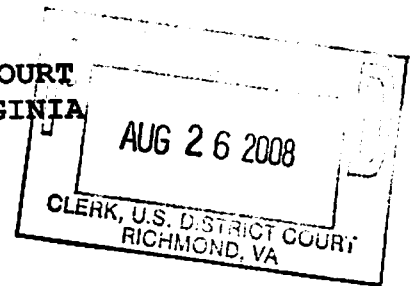


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



TAREK SAMIR NAJAR,

Petitioner,

v.

Civil Action No. **3:08CV204**

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF CORRECTIONS,**

Respondent.

MEMORANDUM OPINION

Tarek Samir Najar, a Virginia state prisoner proceeding pro se, submitted this 28 U.S.C. § 2254 petition and it was conditionally filed on April 9, 2008. By Memorandum Order entered May 21, 2008, the Court notified Najar that he must submit the full \$5.00 filing fee and granted Najar an extension of eleven (11) days from the date of entry thereof to pay the required \$5.00 filing fee or explain any special circumstances that would justify excusing any portion of the payment.

Over eleven (11) days have elapsed and Najar has failed to pay the filing fee or explain why any special circumstances warrant excusing payment. Accordingly, Najar's petition will be DISMISSED WITHOUT PREJUDICE.

The Clerk of the Court is DIRECTED to mail a copy of this Memorandum Opinion to Najjar.

An appropriate Order shall issue.

Robert E. Payne
Senior United States District Judge

Richmond, Virginia

Richmond, Virginia
Date: August 24, 2008